

## AHMED CEVDET PASHA (1823-1895): A SCHOLAR AND A STATESMAN

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### Abstract

This article examines the life, political and intellectual career of Ahmed Cevdet Pasha who contributed a lot to the reformation period of the Ottoman Empire known as *Tanzimat*. The work closely goes over the *Mecelle*, the civil code of the Ottoman State for 57 years, from 1869 until 1926, which was embodied by the efforts of Ahmed Cevdet pasha, giving a list of his important publications.

### Özet

#### Ahmet Cevdet Paşa: Bilim ve Devlet Adamı

Bu çalışma, Tanzimat adıyla bilinen, Osmanlı'nın yeniden yapılanma dönemine büyük katkıları olan Ahmet Cevdet Paşa'nın hayatını, politik ve bilimsel kariyerini incelemektedir. Ayrıca, makale, Ahmet Cevdet Paşa'nın gayretleriyle meydana getirilip Osmanlı devletinin 1869 ile 1926 yılları arasında 57 yıllık medeni kanunu olan Mecelle'yi incelemektedir. Önemli yayınlarının bir listesi de çalışmada yer almaktadır.

**Key words/Anahtar kelimeler:** The Ottoman Empire, Ahmed Cevdet pasha, The *Mecelle*, The civil code of the Ottoman State

### Introduction

To begin with, Ahmed Cevdet was an important man, as he was a religious scholar as well as a statesman, playing a significant role in the Ottoman Empire in a time called *Tanzimat* (the renewal). His intellectual capacity is evident in his contributions to the renewal and the modifications of the laws of the State. This may also be seen in his educational background, as he was a man who was not satisfied with the classical system of education. As we shall see, he tried hard to get a good education from the leading figures of his time. When he was not satisfied with the knowledge of a scholar, he did not hesitate to abandon him. In other words, since he pursued a good career in religious circles, he wanted to have a sound and fruitful education. This left him no choice other than looking for the leading *ulema* of his time. Thanks to this pursuit, he met not only with

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the leading religious scholars but also with the influential politicians of his time. This helped him to become the wanted scholar and politician of his day.

### The Lifespan

He was born on *Jumad al-Akhira* 1238/26.03.1823 at Lofça in northern Bulgaria to a famous family known as Yularkıranoglu who served the State as military, administrative and religious officials. His father, *Hacı İsmail agha*, was a member of the administrative council.<sup>1</sup> Of his earlier ancestors, the great grand father was the Mufti of Lofça.<sup>2</sup> After living a full life, he passed away in his seventies, in 1312/1895, leaving a big legacy behind.<sup>3</sup>

### His education

To start with, it may not be wrong to say that it was his grandfather, namely *Hacı Ali efendi* who influenced and shaped his educational career. His wish was that he follow the career of his great grand father and prepare for a career in the religious circles.

In his early teens, he began to learn Arabic grammar, the first step to the religious study, from the mufti of Lofça, namely *Hafız Ömer efendi*.<sup>4</sup> The succeeding mufti of Lofça, a certain *Hafız Mehmet efendi* was the second teacher of Ahmed pasha.<sup>5</sup> Cevdet read the famous *tafsir* (exegesis) named *Qadi Bayzawi*<sup>6</sup> with the leading *alim* of Lofça called Deli mufti.<sup>7</sup>

On reaching the age of seventeen, at the inaugurated time of *Tanzimat* in 1839, he left Lofça for Istanbul for a formal education.<sup>8</sup> Since he had a room in Pashaoğlu *medrese* near Fatih mosque, he was able to attend the classes held in the mosque. For the same reason, he preferred to be a *hariç* (outsider) student, when he passed an exam held by the Hamidiye *medrese*, founded by Abdulhamid Khan I (1774-1789).<sup>9</sup>

<sup>1</sup> Ahmed Cevdet, *Tezakir*, Baysun, C. (edt.), (Ankara, 1967), vol. 4, p. 3; Bowen, H. 'Ahmad Djewdet Pasha', *EP*, vol. 1, p. 284; Chambers, L. R. 'The education of a nineteenth century Ottoman Alim, Ahmed Cevdet Paşa', *International Journal of Middle Eastern Studies*, IV, (1973), p. 440; Halaçoğlu, Y. 'Kendi Kaleminden Ahmet Cevdet Pasha' in *Ahmet Cevdet Paşa Semineri İstanbul Üniversitesi, Edebiyat Fakültesi, Tarih Araştırmaları Merkezi, 27-28 Mayıs, 1985*, (İstanbul: Edebiyat Fakültesi Basımevi 1986), p. 1

<sup>2</sup> Ahmed Cevdet, *Tezakir*, vol. 4, p. 3; Bilmen, Ö. N. *Hukuku İslamiyye ve İstilahatı Fikhiyye Kamusu*, (İstanbul: Bilmen Basımevi, 1969), vol. 1. p. 345; Chambers, 'Nineteenth century Ottoman Alim', p. 441

<sup>3</sup> Karaman, H. *İslam Hukuk Tarihi*, (İstanbul: Zafer Matbaası, 1989), p. 341

<sup>4</sup> Chambers, 'Nineteenth century Ottoman Alim', p. 441; Öztürk, O. *Osmanlı Hukuk Tarihinde Mecelle*, (İstanbul: İslami İlimler Araştırma Vakfı, 1973), p. 20; Karaman, *Hukuk Tarihi*, p. 341

<sup>5</sup> Fatma Aliye, *Ahmet Cevdet Paşa ve Zamanı*, (İstanbul: Bedir Yayınevi, 1995), p. 23

<sup>6</sup> This is a famous *tafsir* book written by the judge of Shiraz, Nasir al-Din al-Bayzawi (d.691/1292?). For more see Cerrahoğlu, İ. *Tefsir tarihi*, (Ankara: Diyanet İşleri Başkanlığı, 1988), vol. 2, pp. 295-314

<sup>7</sup> Fatma Aliye mentions that although Deli mufti was offered a good salary by the grand father of Ahmed Cevdet in return for his education, he turned it down saying that he was not a man who teaches a subject in one place. Fatma Aliye, *Ahmet Cevdet*, p. 23

<sup>8</sup> Ahmed Cevdet, *Tezakir*, vol. 4, p. 5; Fatma Aliye, *Ahmet Cevdet*, p. 25; Bowen, H. 'Ahmad Djewdet', p. 284

<sup>9</sup> This means that he received a stipend but a room was not allocated to him. He was to live outside the *medrese* which he preferred, as he was attending the classes in Fatih mosque. Ahmed Cevdet, *Tezakir*, vol. 4, p. 6; Fatma Aliye, *Ahmet Cevdet*, pp. 24-5

His first *medrese* teacher was Toyranlı Mehmet *efendi*. Since he was not satisfied with his way of teaching, he left his circle.<sup>10</sup>

Ahmed Cevdet preferred the classes of the leading or in his words 'first class'<sup>11</sup> scholars of his time whenever it was possible. He names *Imam zade* Esad *efendi* (d. 1267/1850-1), the military judge of Rumeli, as one of them. He was teaching the book *sharh al-aqaid* of Sad al-Din al-Taftazani (d.792/1389), at İbrahim pasha mosque near Şehzade mosque.<sup>12</sup> Another first class teacher was Antakyalı Said *efendi* (d. 1271/1854-5), the military judge of Anatolia, who was holding classes in Süleymaniye mosque, teaching *Mutawwal*, a sharh by Sad al-Din al-Taftazani, a textbook on rhetoric named *Talhis* written by Jalal al-Din al-Kazwini (d.739/1338).<sup>13</sup> The last one from this class was Denizlili Yahya *efendi* (d. 1275/1858-9).<sup>14</sup>

As he mentions, he was taught not only by the first class teachers but also by the second class ones. The latter ones occupy a great place in the education of Ahmed Cevdet. Among whom were Vidinli Mustafa *hoca* (d.1271/1855), Giritli *hoca*, Şehri *Hafız efendi* (d. 1284/1867) and *Hekim* (doctor) Hamid *efendi*. While Vidinli *hoca* taught him *Mutawwal* at Nişancı mosque near Fatih in the afternoons and at the time of vacation,<sup>15</sup> Giritli *hoca*, who was a Sheikh, a leader of a mystical order, taught him the same book at the Fatih mosque.<sup>16</sup> The latter also taught him ethic and prosody (*aruz*) at the vacation times.<sup>17</sup> Since Hamid *efendi* was a medical doctor, he spent most of his time in medical profession. So, he was not able to hold classes at great length. However he provided counseling to Ahmed *efendi*.<sup>18</sup>

Cevdet pasha also attended the classes of *Hafız Seyyid efendi* and Birgivi Şakir *efendi* who, in his words, were from the third class teachers.<sup>19</sup> The former, who was living in seclusion in İsmail *efendi medrese* in Çarşamba pazarı and holding classes regularly in the mornings and afternoons, was master in Arabic language.<sup>20</sup> The latter, who was holding classes in Dülgeroğlu mosque in the mornings in Saraçhane, had full mastery of the

<sup>10</sup> Ahmed Cevdet, *Tezahir*, vol. 4, pp.8, 9-10; Mardin, *Ahmet Cevdet paşa*, (Ankara: Türkiye Diyanet Vakfı Yayınları, 1996), p. 16

<sup>11</sup> Ahmed Cevdet, *Tezahir*, vol. 4, p. 8; Fatma Aliye, *Ahmet Cevdet*, p. 26

<sup>12</sup> Ahmed Cevdet, *Tezahir*, vol. 4, p. 8; Fatma Aliye, *Ahmet Cevdet*, p. 27; Mardin, *Ahmet Cevdet paşa*, p. 17, (footnote 25)

<sup>13</sup> Ahmed Cevdet, *Tezahir*, vol. 4, p. 8; Fatma Aliye, *Ahmet Cevdet*, p. 27; Mardin, *Ahmet Cevdet paşa*, p. 17, (footnote 26); Öztürk, *Hukuk Tarihinde Mecelle*, p. 20

<sup>14</sup> Ahmed Cevdet, *Tezahir*, vol. 4, p. 8; Fatma Aliye, *Ahmet Cevdet*, p. 26-7; Mardin, *Ahmet Cevdet paşa*, p. 17, (footnote 27)

<sup>15</sup> Ahmed Cevdet, *Tezahir*, vol. 4, p. 9; Mardin, *Ahmet Cevdet paşa*, p. 18, (footnote 27a); Chambers, 'Nineteenth century Ottoman Alim', p. 449; Halaçoğlu, 'Ahmet Cevdet Pasha', p. 2

<sup>16</sup> Ahmed Cevdet, *Tezahir*, vol. 4, p. 8; Mardin, *Ahmet Cevdet paşa*, p. 18, (footnote 29)

<sup>17</sup> Fatma Aliye, *Ahmet Cevdet*, p. 28

<sup>18</sup> Ahmed Cevdet, *Tezahir*, vol. 4, p. 8; Fatma Aliye, *Ahmet Cevdet*, p. 28; Mardin, *Ahmet Cevdet paşa*, p. 19, (footnote 30)

<sup>19</sup> Fatma Aliye, *Ahmet Cevdet*, p. 27

<sup>20</sup> Ahmed Cevdet, *Tezahir*, vol. 4, p. 8; Fatma Aliye, *Ahmet Cevdet*, p. 27; Mardin, *Ahmet Cevdet paşa*, p. 19, (footnote 31)

science of logic. Birgivi Şakir *efendi* was also the man who gave Ahmed *efendi* diploma or *ijazat* in 1260/1844.<sup>21</sup>

Cevdet pasha also attended the classes of *Kezubi* Hasan *efendi*<sup>22</sup> for two or three times. However, he was not satisfied with what he had to offer. Fatma Aliye remembers her father saying about him, 'he is ignorant'.<sup>23</sup> Another young teacher who taught Ahmed *efendi* was Karahalil *efendi* (d. 1298/1880),<sup>24</sup> whom Fatma Aliye calls 'the teacher of the pasha'. In her words, 'he was the man whom Ahmed *efendi* greatly respected'.<sup>25</sup>

He sometimes went to the celebrated Murat *molla tekke*.<sup>26</sup> where he studied Persian along with the *masnawi*, the famous mystical book of Mawlana Jalal al-Din al-Rumi (d. 672/1273). While Persian was taught by *Hafız* Tevfik *efendi*, the *masnawi* was taught by the sheikh Murat *molla* himself who gave diploma to him in the presence of the Sultan Abdulmecid (1839-1861).<sup>27</sup>

His another teacher in *tasawwuf* was Kuşadalı İbrahim *efendi* (d. 1262/1845).<sup>28</sup> Fatma Aliye clearly states that her father's interest in *sufism* was purely academic one as he never entered to a *tarikât* nor became the disciple of a Sheikh.<sup>29</sup>

Ahmed Cevdet was also interested in rational and literary sciences. He studied math and astronomy on his own, getting help for mathematical problems from the chief astrologer Osman Saib *efendi* (d. 1280/1864).<sup>30</sup>

Fehim *efendi*, a well-known a poet and statesman, attracted the attention of Ahmed *efendi*. He helped Cevdet pasha to produce his well known *mahlas* (sobriquet) 'Cevdet' in 1859. Presumably, it was the man who

<sup>21</sup> Bilmen gives the date as 1255 which should be wrong. Ahmed Cevdet, *Tezâkir*, vol. 4, p. 8, 9-13; Fatma Aliye, *Ahmet Cevdet*, pp. 27-29; Mardin, *Ahmet Cevdet paşa*, p. 19, (footnote 32); Bilmen, *Hukuku İslamiyye*, vol. 1. p. 345

<sup>22</sup> He twice became the sheikh al-Islam. The first was from 1868 until 1871, the second was from 1874 until 1876. Akgündüz, M. *Osmanlı Devletinde Şeyhülislamlık*, (İstanbul: Beyan Yayınları, 2002), p. 333

<sup>23</sup> Chambers claims that this was the result of personal enmity as Hasan Fehim *efendi* had him removed from his position as the chairman of the *Mecelle* commission. Fatma Aliye, *Ahmet Cevdet*, p. 30; Mardin, *Ahmet Cevdet paşa*, pp. 82-3, 88-9; Chambers, 'Nineteenth century Ottoman Alim', p. 452

<sup>24</sup> Ahmed Cevdet, *Tezâkir*, vol. 4, pp. 9, 11; Mardin, *Ahmet Cevdet paşa*, p. 20, (footnote 33)

<sup>25</sup> Fatma Aliye, *Ahmet Cevdet*, p. 30

<sup>26</sup> This was established in 1183/1769 by Mehmet Murat *efendi*, a military judge of Anatolia. Chambers, 'Nineteenth century Ottoman Alim', p. 456. See also Gökmen, M. *Murat Molla Hayatı, Kütüphanesi ve Eserleri*, (İstanbul: Cumhuriyet Matbaası, 1943)

<sup>27</sup> Fatma Aliye, *Ahmet Cevdet*, pp. 32, 35, 38; Mardin, *Ahmet Cevdet paşa*, p. 25 (footnote 45)

<sup>28</sup> Fatma Aliye, *Ahmet Cevdet*, p.36; Mardin, *Ahmet Cevdet paşa*, p. 25

<sup>29</sup> Fatma Aliye, *Ahmet Cevdet*, pp. 32, 36

<sup>30</sup> Ahmed Cevdet, *Tezâkir*, vol. 4, p. 7; Fatma Aliye, *Ahmet Cevdet*, p. 28; Mardin, *Ahmet Cevdet paşa*, p. 23 (footnote 37)

influenced and shaped his political views and career as he was well versed in domestic and foreign affairs.<sup>31</sup>

He spent only five years to accomplish his studies.<sup>32</sup> This is perhaps because, unlike his fellow mates, he enjoyed a generous allowance by his family,<sup>33</sup> which gave him an opportunity to devote his whole time to education. Secondly, along with intelligence, he had very good ambitions and loved learning and was very intelligent.<sup>34</sup>

### Official Duties

His first position in the State came out of his financial concerns and troubles. Since he did not want to be supported by his family forever, he wanted to have a post in the public sector. Having passed the qualifying exam for entry into the judiciary ranks, he received his first paid appointment as *qadi* to the judicial district of Premedi in 1844.<sup>35</sup>

In 1846, he became the adviser to the Grand Vezir Mustafa Reşit pasha (d. 1858), when he applied to the office of Sheikh al-Islam<sup>36</sup> for a scholar to provide him with the knowledge of *shari'a* for the drafting of the new laws.<sup>37</sup> Presumably, under the influence of Mustafa Reşit pasha, he assumed administrative and political duties.<sup>38</sup>

<sup>31</sup> Ahmed Cevdet, *Tezakir*, vol. 4, p. 14; Fatma Aliye, *Ahmet Cevdet*, p. 35; Mardin, *Ahmet Cevdet paşa*, p. 13 (footnote 14), 25; Chambers, 'Nineteenth century Ottoman Alim', p. 457; Öztürk, *Hukuk Tarihinde Mecelle*, p. 20

<sup>32</sup> Ahmed Cevdet, *Tezakir*, vol. 4, p. 7

<sup>33</sup> In order to show how his families' generosity played an active role in his education, it is worth mentioning here an anecdote. One year there was a severe winter which interrupted the courier service. Ahmed *efendi* became so much disappointed when the student who cooked his food and served him left, as he was not able to provide money for the shopping. Ahmed Cevdet went to Fatih mosque and sat beside the prayer-niche on the right side of the mosque, thinking how to go to his *medrese* room at night. Although it entered his mind to borrow money from his teachers or friends, he realized that he cannot do it as he had never asked anything from others. He was at the point of deciding that he would starve rather than ask anything from anyone, when, out of blue, he met a family friend from Lofça. This was a real opportunity, as this man would know if anything has come from his father. But, once more, he could not ask from him. This was something he had never done. After a short conversation, the man said, 'the post has not come from home and you probably have no pocket-money left. I will be reimbursed by your father. Let me give you this for the time being. If the post does not arrive in a few days, I will give you more.' He gave him six lira. Only three days' later, a courier arrived with three months' allowance. To celebrate the occasion, Ahmed *efendi* ordered helva and rice with meat to be prepared and invited all of the people of the *medrese* to share his bounty. Fatma Aliye, *Ahmet Cevdet*, pp. 32-3

<sup>34</sup> Chambers, 'Nineteenth century Ottoman Alim', p. 461

<sup>35</sup> Ahmed Cevdet, *Tezakir*, vol. 4, p. 18; Fatma Aliye, *Ahmet Cevdet*, p. 39; Mardin, *Ahmet Cevdet paşa*, p. 27

<sup>36</sup> The sheikh al-Islam was Arif Hikmet *efendi* (1846-1854). Fatma Aliye, *Ahmet Cevdet*, p. 39

<sup>37</sup> This was to provide him a reputable connection with the peers of the state such as Ali and Fuad pashas. Fatma Aliye, *Ahmet Cevdet*, pp. 39-42; Bowen, 'Ahmad Djewdet', p. 284; Aydın, M. A. 'Bir Hukukçu olarak Ahmet Cevdet Paşa' in *Ahmet Cevdet Paşa Semineri İstanbul Üniversitesi, Edebiyat Fakültesi, Tarih Araştırmaları Merkezi, 27-28 Mayıs, 1985*, (İstanbul: Edebiyat Fakültesi Basımevi 1986), pp. 21-2

<sup>38</sup> Fatma Aliye, *Ahmet Cevdet*, pp. 42-3

His first administrative duty was to *Dar al-Muallimin*. To be precise, on 14 August 1850, he was appointed as director of *Dar al-Muallimin*, with the membership of the *Meclis-i Maarif*, as its chief secretary.<sup>39</sup>

On presenting his best known work *Tarih-i vakay-i Osmaniye* to the Sultan Abdulmecit, he received promotion to Süleymaniye rank and was appointed *vak'a nûvis* (official historian) in February 1855. He received the title 'Molla of Galata' on 9 January 1856, 'Mecca rank' in 1857, and 'the Istanbul rank' in 1861 in the judicial hierarchy.<sup>40</sup>

Upon the death of Reşid pasha in 1858, Ali (d. 1871) and Fuad pashas (d.1868) suggested him that he should abandon the circles of *ulema* in favor of the government services. Presumably, under their influence, he accepted the governorship of Vidin. In March 1863, he was sent to Bosnia as an inspector with the judicial rank 'Qadiasker of Anatolia'. He stayed there for 18 months and was successful in restoring order.<sup>41</sup>

He retained his connection with the *ulema* until 1866 when the rumors spread that he wanted to be sheikh al-Islam.<sup>42</sup> It is claimed that it was Ali pasha and the Sheikh al-Islam Sadettin *efendi* (1858-1963) who prevented him from becoming a sheikh al-Islam.<sup>43</sup> Presumably, it was them who caused his title 'Qadiasker of Anatolia' to be replaced with that of Vezir in 1866. With this title, he was appointed the governor of Eleppo.<sup>44</sup> One month later, in February 1866, he was recalled and became the president of the *Divan-ı Ahkam-ı Adliye* (council of judicial ordinances). His presidency was converted into a Ministry. As a justice Minister, he was able to establish the first secular courts of the Empire, '*Nizamiye Mahkemeleri*', and the law courses for the better instruction of the judges.<sup>45</sup>

It was during his first term as a justice Minister that he was able to establish a commission to draft the civil code of the Empire based on the Hanafi law. In this, he had the support of Fuad and Şirvani zade Rüşdü pashas (d.1882) in opposition with Ali pasha<sup>46</sup> who favored the adoption of

<sup>39</sup> Fatma Aliye, *Ahmet Cevdet*, p. 58; Mardin, *Ahmet Cevdet paşa*, p. 36

<sup>40</sup> Mardin, *Ahmet Cevdet paşa*, pp. 43-4; Bowen, 'Ahmad Djewdet', p. 284; Kuran, E. 'Türk Tefekkür Tarihinde Ahmed Cevdet Paşa'nın Yeri' in *Ahmet Cevdet Paşa Semineri İstanbul Üniversitesi, Edebiyat Fakültesi, Tarih Araştırmaları Merkezi, 27-28 Mayıs, 1985*, (İstanbul: Edebiyat Fakültesi Basımevi 1986), p. 7; Öztürk, *Hukuk Tarihinde Mecelle*, p. 21; Halaçoğlu, 'Ahmet Cevdet Pasha', p. 2

<sup>41</sup> Mardin, *Ahmet Cevdet paşa*, pp. 208-9; Bowen, 'Ahmad Djewdet', p. 285

<sup>42</sup> He himself denies it. Mardin, *Ahmet Cevdet paşa*, pp. 56-7 (footnote 90)

<sup>43</sup> Chambers, 'Nineteenth century Ottoman Alim', pp. 462-3; Halaçoğlu, 'Ahmet Cevdet Pasha', pp. 3-4

<sup>44</sup> Ahmed Cevdet, *Tezâkir*, aysun, C. (ed.), (Ankara, 1960), vol. 2, p. 263; Öztürk, *Hukuk Tarihinde Mecelle*, p. 21

<sup>45</sup> Mardin, *Ahmet Cevdet paşa*, p. 68; Bowen, 'Ahmad Djewdet', p. 285; Ekinci, E. B. *Osmanlı Mahkemeleri (Tanzimat ve Sonrası)*, (İstanbul: Ari Sanat Yayınları, 2004), p. 185

<sup>46</sup> Ortaylı claims that Ali pasha favored the French obligation and bailiff laws but not the family law. Ortaylı, İ. 'Müzakere', in *Türkiye Diyanet Vakfı Ahmet Cevdet paşa sempozyumu 9-11 June 1995*, (Ankara: Türkiye Diyanet Vakfı Yayınları, 1997), p. 300

the French civil code.<sup>47</sup> Four chapters of the *Mecelle* had been published when he lost his title 'Minister of Justice' in April 1870. After dismissal, he was appointed as the governor of Bursa but almost immediately lost it.<sup>48</sup>

He remained unemployed for more than a year, precisely until the August of the following year. In August 1871, he was recalled and was given the title 'the president of the commission of the *Mecelle* and of the *Tanzimat* department of the Şuray-ı Devlet (Council of State)'.<sup>49</sup> The reason for the recall was the deficiencies of the chapter six of the *Mecelle*, namely the *kitab al-wadi'a*, which had been published in his absence.<sup>50</sup> Until the publication of the last chapters of the *Mecelle* in 1877, he kept this position along with other duties except for a short time in which he was sent to Kahramanmaraş as a governor. This was in 1872 lasting for only eighteen days. This was the result of differences with the Grand Vezir Mahmut Nedim pasha (d.1883). When Mithat pasha (d.1884)<sup>51</sup> became Grand Vezir on 31 July 1872, Cevdet assumed his previous post.<sup>52</sup>

In addition to his chairmanship of the *Mecelle* commission, he was appointed as the Minister of Education in April 1873. In this duty, he was able to achieve a reform of the primary schools for boys (*mekteb-i sıbyan*), and drew up a curricula for the *Rüşdiye* (high) and *İdadiyye* (senior high) schools and reorganized the *Dar al-Muallimin* in order to meet the demands of these three new institutions.<sup>53</sup>

On 2 November 1874, he was appointed as the governor of Yanya (Jannina). This is perhaps because he was against the deposition of the Sultan Abdulaziz (1830-1876) while the Grand Vezir Hüseyin Avni pasha (d. 1876) was in its favor. On 12 June 1875, he was restored to his former post (Minister of Education), as the Grand Vezir Avni pasha had been dismissed from his post.<sup>54</sup>

<sup>47</sup> Bowen, 'Ahmad Djewdet', p. 285; Aydın, 'Bir hukukçu olarak Ahmet Cevdet Paşa', p. 31; Yavuz, H. 'Mecelle'nin Tedvini ve Cevdet Paşa'nın hizmetleri' in *Ahmet Cevdet Paşa Semineri İstanbul Üniversitesi, Edebiyat Fakültesi, Tarih Araştırmaları Merkezi, 27-28 Mayıs, 1985*, (İstanbul: Edebiyat Fakültesi Basımevi 1986), pp. 49-50

<sup>48</sup> Mardin, *Ahmet Cevdet paşa*, pp. 62, 88; Bowen, 'Ahmad Djewdet', p. 285; Yavuz, 'Cevdet Paşa', pp. 81-2; Öztürk, *Hukuk Tarihinde Mecelle*, p. 21

<sup>49</sup> Mardin, *Ahmet Cevdet paşa*, pp. 90-1; Yavuz, 'Cevdet Paşa', pp. 81-2; Öztürk, *Hukuk Tarihinde Mecelle*, p. 21

<sup>50</sup> For a comparative study on this chapter see Aydın, M. A. 'Kitab'ül Vedia ve Ahmet Cevdet Paşa' in *Türkiye Diyanet Vakfı Ahmet Cevdet paşa sempozyumu 9-11 June 1995*, (Ankara: Türkiye Diyanet Vakfı Yayınları, 1997), pp. 329-34

<sup>51</sup> He first met with Mithat pasha in his teens in Lofça. Unfortunately, Cevdet pasha was to become the man who arrested and interrogated Mithat pasha. Fatma Aliye, *Ahmet Cevdet*, p. 22; Mardin, *Ahmet Cevdet paşa*, pp. 262-7; Bowen, 'Ahmad Djewdet', p. 285; Kuran, 'Ahmet cevdet', p. 11

<sup>52</sup> Mardin, *Ahmet Cevdet paşa*, pp. 101-3; Öztürk, *Hukuk Tarihinde Mecelle*, p. 21

<sup>53</sup> Mardin, *Ahmet Cevdet paşa*, p. 106; Öztürk, *Hukuk Tarihinde Mecelle*, p. 21

<sup>54</sup> Mardin, *Ahmet Cevdet paşa*, pp. 116-8 (footnote 106); Bilmen, *Hukuku İslamiyye*, vol. 1, p. 345; Bowen, 'Ahmad Djewdet', p. 285; Yavuz, 'Cevdet Paşa', p. 84; Öztürk, *Hukuk Tarihinde Mecelle*, p. 21

On 30 November 1875, he became Minister of Justice for the second time. Commercial courts, which were under the control of Trade Minister, were transferred to him. As a result of disagreement with the Grand Vezir Nedim pasha regarding the concessions to foreign tradesmen, he was deposed in March 1876. On the fall of Nedim pasha, he became Minister of Education for the third time.<sup>55</sup>

After the accession of Abdulhamit II to the throne on 31 August 1876, he was appointed Minister of Justice. Although he had disagreement with the Grand Vezir Mithat pasha regarding the new constitution,<sup>56</sup> he kept him in his post. When Sakızlı Ethem pasha (d. 1893) replaced Mithat pasha as the Grand Vezir on 5 February 1877, Cevdet pasha was transferred to the newly created Ministry of Interior as a Minister. After a short term as Minister of Evkaf, he was sent to Syria as a governor for the second time where he stayed 8 months and was able to repress a revolt in Kozan. In December of the same year, he was called back to the capital and was appointed Minister of Commerce.<sup>57</sup>

On dismissal of the Grand Vezir Hayreddin pasha (d.1889) in October 1879, Ahmed Cevdet acted for ten days as president of the council of Ministers. When Küçük Sait pasha (d.1914) was appointed Grand Vezir on 18 October 1879, he became Minister of Justice for a fourth time lasting for three years, the longest period in this position. It came to an end on 30 November 1882, when Ahmed Vefik pasha (d. 1891) became Grand Vezir.<sup>58</sup>

In 1886, he assumed the same duty for the last time, lasting for four years. In May 1890, he resigned due to differences with the Grand Vezir Kamil pasha (d.1876). From then, he was to assume no public duty. He devoted the rest of his life to writing in his house.<sup>59</sup>

Lastly, it is worth mentioning that he was among the three men appointed by Abdulhamit II (1876-1909) to work on the political issues and to present their findings to him.<sup>60</sup> This shows us that he was among few men who were trusted by the head of the State, Abdulhamit II, and may tell us why he was given various important services in the State.

<sup>55</sup> Mardin, *Ahmet Cevdet paşa*, p. 131; Kuran, 'Devlet Adamı olarak Cevdet Paşa' in *Türkiye Diyanet Vakfı Ahmet Cevdet paşa sempozyumu 9-11 June 1995*, (Ankara: Türkiye Diyanet Vakfı Yayınları, 1997), p. 3; Yavuz, 'Cevdet Paşa', p. 84

<sup>56</sup> For a study on this constitution, see Gözübenli, B. 'Türk Hukuk Tarihinde Kanunlaştırma Faaaliyetleri ve Mecelle' in *Türkiye Diyanet Vakfı Ahmet Cevdet paşa sempozyumu 9-11 June 1995*, (Ankara: Türkiye Diyanet Vakfı Yayınları, 1997), p. 287

<sup>57</sup> Mardin, *Ahmet Cevdet paşa*, pp. 142-6; Öztürk, *Hukuk Tarihinde Mecelle*, p. 21

<sup>58</sup> Mardin, *Ahmet Cevdet paşa*, pp. 146-7; Halaçoğlu, 'Ahmet Cevdet Pasha', p. 4; Öztürk, *Hukuk Tarihinde Mecelle*, p. 22

<sup>59</sup> Mardin, *Ahmet Cevdet paşa*, p. 151; Halaçoğlu, 'Ahmet Cevdet Pasha', p. 5; Öztürk, *Hukuk Tarihinde Mecelle*, p. 22

<sup>60</sup> Bowen, 'Ahmad Djewdet', p. 285



### Contributions to the laws of the State

As we have seen, Ahmed Cevdet was truly a statesman who contributed a lot to the State. He contributed not only by serving the State but also by taking the lead in the drafting of the laws. In addition, he did not hesitate to use tradition or his predecessor's views in order to persuade his opponents. One such case took place in the discussion of establishing secular courts along with the *shari'a* courts. By comparing the courts of *Mazalim* with the *Nizamiye Mahkemeleri*, he was able to persuade his opponents. Similarly, at the inauguration of *Divan-ı Ahkam-ı Adliye*, he read a summary of the book of Jalal al-Din Al-Dawwani (d. 908/1502), concluding, '...event at that time, the courts other than the *shari'a* ones were needed. Now, trade and related issues have increased....So the state needs to establish a *divan*...'.<sup>61</sup>

Having said that, let us see some of his contributions. To begin with, his appointment to the council of the *Tanzimat* in 1857 brought him close with the drafting of the laws of the renewal period. His contributions began with the composition of the new criminal law and of the title deeds law. The second and one of the two major legal works undertaken by Cevdet pasha was the land law which was based on Islamic and customary law. He was the head of the commission (1858) who was to draft this law. It included no provisions regarding the private lands as they were to be found in classical *fiqh* collections. Furthermore, it did not meet his demands regarding the inheritance of the public lands, as he wanted them to follow the Islamic law.

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As we shall see, in 1868, he was appointed as the chief of the commission of the *Mecelle* which was set up to draft the commercial laws of the *shari'a*. He also headed a commission who prepared a law regarding *qasama* in 1877.<sup>63</sup> Moreover, he presided over a commission set up to compose a *Firman* modifying the regulations for the government of Crete, introduced after the suppression of the rebellion in 1889.<sup>64</sup>

Among the laws drafted or at least major contributions made by Ahmed Cevdet are: *Bila Beyyine Mazmunuyla Amel ve Hükm Caiz Olabilecek Surette Senedat-ı Şer'yye'nin Tanzimine Dair Talimat* (Circular Regarding the Issuance of *Shar'i* Documents, upon the Contents of which Action and

<sup>61</sup> Ahmed Cevdet, *Tezahir*, vol. 4, pp. 85-91; Mardin, *Ahmet Cevdet paşa*, pp. 229-231; Ekinci, *Osmanlı Mahkemeleri*, pp. 89, 90-1.

<sup>62</sup> Ahmed Cevdet, *Tezahir*, vol. 4, pp. 73-4; Mardin, *Ahmet Cevdet paşa*, pp. 45, 49-61, 144; Akgündüz, A. 'Ahmet Cevdet Paşa ve Kanunlaşturma Hareketleri' in *Türkiye Diyanet Vakfı Ahmet Cevdet paşa sempozyumu 9-11 June 1995*, (Ankara: Türkiye Diyanet Vakfı Yayınları, 1997), p. 339; Aydın, 'Ahmet Cevdet Paşa', p. 23-4, 26; Gözübenli, 'Mecelle', p. 288.

<sup>63</sup> For the text of this law, see Dustur, vol. 1/4, (Mahmut bey Matbaası, 1879), p. 363; Mardin, *Ahmet Cevdet paşa*, pp. 140-2; Öztürk, *Hukuk Tarihinde Mecelle*, p. 88-9.

<sup>64</sup> Bowen, 'Ahmad Djewdet', p. 285.

Judgment is Permitted without Evidence),<sup>65</sup> *İpekböceği Nizamnamesi* (Silkworm Regulation), *Askeri Ceza Kanunu* (Military Criminal Law), *Meclisi Valay-ı Ahkamı Adliye Nizamnamesi* (Regulation Regarding the Council of Judicial Ordinances), *Divan-ı Ahkam-ı Adliye Nizamnamesi* (Regulation Regarding the Council of Judicial Ordinances),<sup>66</sup> *Mehakim-i Nizamiye'nin Taşkilatı Kanun-u Muvakkatı* (Temporary Regulation for the Establishment of Secular Courts).<sup>67</sup> Although, *Usul-u Muhakeme-i Hukukiyye Kanunnamesi Layihası* (Civil Procedure Law) was drafted by the contributions of Cevdet pasha, it did not become the law of the State. This is because the council of Ministers preferred the French civil procedure code.<sup>68</sup>

### The Mecelle

It is now worth going over the *Mecelle*<sup>69</sup> which was an important attempt in the codification of Muslim law in the western style.<sup>70</sup> If it were not the hard work of Ahmed Cevdet, there would not be such a code. This is because there was a big pressure by the French bureaucrats on Turkey to adapt the French code. Presumably under their influence he faced opposition by the politicians of the time such as Ali Fuad pasha and the trade minister Kabuli pasha (d.1909). They wanted to see the French civil code as the law of the Empire rather than a *shari'a* law.<sup>71</sup>

Once the decision was made, he was appointed the chairman of the commission of the *Mecelle* in 1868. However, it was dissolved before publishing the first chapter, *kitab al-buyu'* (sale) under the name *metn-i metin*. After a short time, it started to work again. It was totally abolished on 26 *Jumad al-Awwal* 1306/28 January 1889 by the Sultan Abdulhamit khan due to some suspicions.<sup>72</sup>

Having said that the *Mecelle*, literally meaning a written book, refers to a civil code drafted in accordance with the Hanafi law,<sup>73</sup> between 1 April

<sup>65</sup> Dustur, vol. 1/4, pp. 78-85; Mardin, *Ahmet Cevdet paşa*, p. 147; Yavuz, 'Cevdet Paşa', p. 86; Öztürk, *Hukuk Tarihinde Mecelle*, pp. 89-90

<sup>66</sup> Aydın, 'Bir Hukukçu olarak Ahmet Cevdet Paşa', p. 27

<sup>67</sup> Ekinci, *Osmanlı Mahkemeleri*, p. 194

<sup>68</sup> Mardin, *Ahmet Cevdet paşa*, pp. 226-9; Öztürk, *Hukuk Tarihinde Mecelle*, p. 91

<sup>69</sup> For a special study on the *Mecelle*, see Keskin, O. *İslam ve Osmanlı Hukukunda Mecelle*, (İstanbul: Osmanlı Araştırmaları Vakfı, 1997)

<sup>70</sup> For the sources of the *Mecelle*, see Mardin, *Ahmet Cevdet paşa*, pp. 167-9. For a list of *sharhs* on the *Mecelle*, see Öztürk, *Hukuk Tarihinde Mecelle*, pp. 113-15

<sup>71</sup> Ahmed Cevdet, *Tezakir*, vol. 1, pp. 62-64, vol. 4, pp. 84-5, 94-7; Mardin, *Ahmet Cevdet paşa*, pp. 63-4, 82-3; Veldet, H. 'Kanunlaştırma Hareketleri ve Tanzimat' in *Tanzimat: İnceleme Araştırma Dizisi*, (İstanbul: Milli Eğitim Bakanlığı Yayınları, 1999), vol. 1, pp. 139-209; Karaman, *Hukuk tarihi*, pp. 329-30

<sup>72</sup> Ahmed Cevdet, *Tezakir*, vol. 1, pp. 62-64, vol. 4, p. 73; Mardin, *Ahmet Cevdet paşa*, pp. 46-9, 152-5; Findley, C.V., 'Medjelle', *EI2*, vol. 6, p. 971; Kuran, 'Ahmet cevdet', p. 8; Akgündüz, 'Kanunlaştırma Hareketleri', p. 339; Yavuz, 'Cevdet paşa', p. 89; Öztürk, *Hukuk Tarihinde Mecelle*, p. 92

<sup>73</sup> Although it is not sufficient, a comparison between the French civil code and the *Mecelle* was done by Cemaleddin *efendi*. Ahmed Cevdet clearly states that there was no influence of Roman law on the *Mecelle*. Ahmed Cevdet, *Tezakir*, vol. 1, p. 64; Cemaleddin *efendi*, 'Mukayese-i Kavanin-i Medeniye: Mecelle-i Ahkam-ı Adliye-Fransa Kanun-ı Medenisi', *İlm-i hukuk ve Mukayese-i Kavanin Mecmuası*, year 1,

1869-26 November 1876, and applied between 1869 and 1926 in the Ottoman Empire. It continued in force longer in other Muslim countries such as Jordan, Iraq and Kuwait.<sup>74</sup> It was applied in both secular *Nizamiye* and *shari'a* courts. It was applied to Muslim as well as to non Muslim subjects of the Empire.<sup>75</sup>

Known as *Mecelle-i Ahkam-ı Adliye*, it covers contracts, torts and some principles of civil procedure. It reflects western influence mainly in its division into numbered books, sections and articles. In addition, despite its bases in *fiqh*, it differs from the *shari'a* in its official promulgation<sup>76</sup> and implicit admission of non Muslims as witnesses.<sup>77</sup> It also differs from the western codes in omitting non-contractual obligations, types of real property other than freehold (*milk*), family law and inheritance as well as in including some procedural provisions.<sup>78</sup>

Although it was derived from the Hanafi law, it did not always incorporate the dominant opinions of that school. Rather, the most suited ones to the conditions of the time were preferred. As stated in the introduction of the *Mecelle*, the conditions of the time led the commission to prefer the most suited view of the Hanafi scholars. For instance, as mentioned in the introduction, while the article 207 of the *Mecelle* was formulated in accordance with the view of Muhammad al-Shaibani (d.189/805), that of 392 was written in the line of the view of Abu Yusuf (d.182/798).

The claim of Findley that the commission went outside the Hanafi rite in some matters is not correct. This is because, as clearly stated in the introduction of the *Mecelle*, the first commission stuck to the Hanafi law.<sup>79</sup> However, the later commissions did not do so as they were set up to modify the unsuited provisions of the *Mecelle* in accordance with the other *Sunni* schools of law.<sup>80</sup>

(Istanbul 1925). For more on the influence of Islamic law on the western law or vice versa, see Boisard, M. A. 'On the probable Influence of Islam on Western Public and International law', *International Journal of Middle East Studies*, 11 (1980), pp. 429-50

<sup>74</sup> Schacht, J. *An Introduction to Islamic Law*, (Oxford: The Clarendon Press, 1964), pp. 92-3; Bilmen, *Hukuku İslamiyye*, vol. 1. pp. 345-6; Findley, 'Medjelle', p. 971; Yavuz, 'Cevdet Paşa', p. 41

<sup>75</sup> For more, see Cigdem, R. *A legal examination of the register of the law court of Istanbul 1321-1324/1903-1906*, (Şanlıurfa: Şanlıurfa İlahiyat Fakültesi Geliştirme Vakfı, 2005).

<sup>76</sup> This means that the *Mecelle* acquired legal force from the power of Sultan as Imam al-Muslimin. Findley, 'Medjelle', p. 971

<sup>77</sup> Schacht, *Islamic Law*, p. 93; Cigdem, *The register of the law court of Istanbul 1321-1324*, p. 63

<sup>78</sup> On the question of why the *Mecelle* did not include this type of law, this is perhaps because it was wanted to meet the pressing demands of the *Nizamiye* courts. The family law was within the jurisdiction of the *shari'a* courts and there was no immediate need for such codification. Another reason might have been that since family law deals with the core of the society, it is a delicate and difficult subject to begin with. Aydın, 'Bir Hukukçu olarak Ahmet Cevdet Paşa', p. 33

<sup>79</sup> It is worth mentioning that the implicit admission of non Muslims as witnesses could be seen as outside not only the *Hanafi* law but also the other *Sunni* schools of law.

<sup>80</sup> Findley, 'Medjelle', p. 971

On the question of whether it was possible for Cevdet pasha to take the views of other *Sunni* scholars, the historical facts lead us to a negative answer. As we know, he was removed from his post as Minister and as the chairman of the *Mecelle* commission on 24 *Muharram* 1287/26 April 1870 just because he preferred the view of Zufar (d.158/774) in the article 629 of the *Mecelle*. The opposition was raised by the sheikh al-Islam Hasan Fehim *efendi*. The same man lifted his opposition once he removed from the post.<sup>81</sup> This may show us that the issue was so delicate and that it was almost impossible to prefer a weak view from the Hanafi rite let alone from the other *Sunni* rites.

Let us now move onto the description of the *Mecelle*. It starts with two sections which define *fiqh* and its divisions and state its basic principles largely according to the *Ashbah wa Nazair* of Ibn Nujaim (d.970/1562-3)<sup>82</sup> as stated in the introduction of the *Mecelle*.<sup>83</sup> The following 16 sections deal with sale, hire and lease, suretyship, transfer of debts, pledge, deposit, gift, usurpation and property damage, interdiction, duress and pre-emption, joint ownership and partnership,<sup>84</sup> agency, amicable settlement and remission of debt, acknowledgment, lawsuits, evidence and oaths, courts and judgeships.

Lastly, the skill of Ahmed Cevdet pasha regarding the drafting of the laws may be best seen when the *kitab al-wadi'a* and the *kitab al-amanat* is comparatively studied.<sup>85</sup>

### His Legal (Fiqhi) Views

Although Ahmed Cevdet was a religious scholar and expert in Islamic law as we understand from his contributions to the laws of the State, he did not write down a special legal book except a short manual named *Ahkam-u bay' bi al-wafa*. For this reason, it is not easy to study his legal views. However, we know that in his view, Islamic law as the law of the people needs to be the law of the state. As we have mentioned above, but for his struggle, there would be no *Mecelle* now. In his opposition to the enactment

<sup>81</sup> Mardin, *Ahmet Cevdet paşa*, pp. 78-85; Aydın, 'Bir Hukukçu olarak Ahmet Cevdet Paşa', p. 34-5 (footnote 44)

<sup>82</sup> Mardin gives the sources of these 100 principles. Mardin, *Ahmet Cevdet paşa*, pp. 179-86

<sup>83</sup> Similar general principles can be found in *Majami' al-Haqaiq* of Abdullah b. Muhammed Hamidi, *Tasis al-Nazar* of Abu Zayd al-Dabbusi (d. 430/1039), *Qawaid al-Ahkam fi masail al-Anam* of Izz al-Din Abd al-Salam (d.660/1262), *Al-qawaid al-Fiqhiyya* of Abd al-Rahman b. Rajab (d.795/1393). For more see, Bilmen, *Hukuku İslamiyye*, vol. 1, pp. 271-2; Kılıç, Y. 'Ebu Zeyd ed-Debusi'nin Te'sisu'n-Nazar Adli Eserinin İslam Hukuku Bakımından Ehemmiyeti', *İslam Medeniyeti*, vol. 5, Issue 3, (1982), pp. 45-88; Şafak, A. 'Hukukun Temel İlkeleri Açısından Mecelleye bir Bakış', in *Türkiye Diyanet Vakfı Ahmet Cevdet paşa sempozyumu 9-11 June 1995*, (Ankara: Türkiye Diyanet Vakfı Yayınları, 1997), pp. 263-78; Baktır, M. 'Mecelle'nin Külli Kaideleri ve Ahmet Cevdet Paşa' in *Türkiye Diyanet Vakfı Ahmet Cevdet paşa sempozyumu 9-11 June 1995*, (Ankara: Türkiye Diyanet Vakfı Yayınları, 1997), p. 315

<sup>84</sup> For a critical study on this subject, see Gözübenli, 'Mecelle', p. 295-9

<sup>85</sup> Three copies of this chapter which is prepared under the chairman of Gerderkiran Ömer efendi are located in Yıldız section of the library of Istanbul University. Mardin, *Ahmet Cevdet paşa*, pp. 93-4; Aydın, 'Kitab'ül Vedia ve Ahmet Cevdet Paşa' in *Türkiye Diyanet Vakfı Ahmet Cevdet paşa sempozyumu 9-11 June 1995*, (Ankara: Türkiye Diyanet Vakfı Yayınları, 1997), pp. 329-30

of the first constitution lies the same reason. In his view, since the *shari'a* represents the constitution, there is no need for a secular one.<sup>86</sup>

Having said that, it is worth underlining that he did not have the opinion that the *shari'a* as embodied in the *fiqh* books needs to be applied as a whole. On the contrary, in his view, a selection process needs to be carried out. The most suited ones are to be selected and applied. As mentioned above, we clearly see this in *Mecelle*. He might have wanted to have the selection process be carried out not only in accordance with the Hanafi rite but also with the other schools of law. Since the conditions were not right to do so, he was not able to put it into effect. As we have seen, his preference of a weak view from the Hanafi rite, the view of Zufar, cost him his presidency.<sup>87</sup>

### Publications

Before giving a list of some of his important publications, it is worth mentioning that Cevdet pasha combined teaching with study in his *medrese* life. We see him holding classes at the *Paşaoğlu medrese* teaching Shafi'iyey-i İbn-i Hacıb, an Arabic grammar. In addition, he also held classes on Kazmir, a philosophy textbook at Dülgeroğlu mosque.<sup>88</sup>

Some of his important publications are:<sup>89</sup>

1-Adab-ı Sedad fi-İlm-il-Adab. This is a book attributed to the ethic and methods of discussion.<sup>90</sup>

2-Ahkam-u bay' bi al-wafa.<sup>91</sup> This is a short treatise summarizing the views of the Hanafi scholars regarding *bay' bi'l-wafa*. He tries to establish whether the *bay' bi al-wafa* was a legal contract. It might have been written to defend the provision of the *Mecelle* on this issue.

3-Belağat-ı Osmaniye. This is a manual on eloquence composed for the students of the law school.<sup>92</sup>

4-Beyanü'l-Ünvan. This is a short treatise on Muslim practice.<sup>93</sup>

<sup>86</sup> Kuran, 'Ahmet cevdet', p. 5

<sup>87</sup> Mardin, *Ahmet Cevdet paşa*, pp. 78-85; Aydın, 'Bir Hukukçu olarak Ahmet Cevdet Paşa', p. 34-5 (footnote 44)

<sup>88</sup> Ahmed Cevdet, *Tezakir*, vol. 4, p. 7, 12; Fatma Aliye, *Ahmet Cevdet*, p. 31; Mardin, *Ahmet Cevdet paşa*, p. 23, (footnote 40)

<sup>89</sup> For a special study on his publications, see Engin, D. *Muallim M. Cevdet'in hayatı, eserleri ve kütüphanesi*, (İstanbul belediyesi, 1937); Artan, V. *Ahmet Cevdet Paşa: hayatı, eserleri ve ilim değeri* (1822-1895), (Ankara: Hilal Yayınları, 1964)

<sup>90</sup> Eygi, M. Ş. 'Cevdet paşa ve Mecelle' in Fatma Aliye, *Ahmet Cevdet Paşa ve Zamanı*, (İstanbul: Bedir Yayınevi, 1995), p. 12

<sup>91</sup> This is a manuscript located in the Library of Beyazıt/İstanbul, in the section Nadir Eserler, No: 8946.

<sup>92</sup> For a study on this book, see Hacımuftuoğlu, N. 'Ahmet Cevdet Paşa'nın Belağat-ı Osmaniyesi ve Yankıları' in *Türkiye Diyanet Vakfı Ahmet Cevdet paşa sempozyumu 9-11 June 1995*, (Ankara: Türkiye Diyanet Vakfı Yayınları, 1997), p. 185-90; Kalyon, E. *Ahmet Cevdet Paşa'nın Belağat-ı Osmaniyesi Transkripsiyonlu Metin-İndeks*, Unpublished MA Thesis, Harran University, 1998

5-Divânçe-i Eşar. This represents a collection of his poems at the request of the Sultan Abdulhamit II. Mardin states that although there are special poems in this collection, it is not a special one.<sup>94</sup>

6-Gayetü'l-Beyan. This is a commentary on *Şaḫî'iye-i Ibn Ḥajib* (a short manual of Arabic grammar).<sup>95</sup>

7-Hulasatü'l-Beyan fî te'lif el-Quran. Written in Arabic, this is a book attributed to the history and the classification of the Quran.<sup>96</sup>

8-Kavaid-i Osmaniye. This is a book on the grammar of Ottoman language. Fuad pasha also contributed to this manual.<sup>97</sup>

9-Kısas-ı Enbiya ve Tevarih-i Hulefa. Being the most famous manual of Ahmed Cevdet, it is a history book beginning with the prophet Adam, ending with the Ottoman Sultan Murad II (1421-1451).

10-Kırım ve Kafkas Tarihçesi. This is a history book on Crimea and Caucasia based on the book named Gülbünü Khan, of Halim Giray.<sup>98</sup>

11-Medhal-i Kavaid. This is a grammar book for the students of the primary school. This is later called Kavaid-i Türkiyye.<sup>99</sup>

12-Malumat-i Nafi'a. This is a book about education written for the students of the high school.<sup>100</sup>

13-Ma'ruzat. This is a series of observations submitted to Abdulhamit II at the Sultan's request on the events of the period between 1839 and 1876.<sup>101</sup>

14-Mi'yar-ı Sedad. This is a short manual on logic.<sup>102</sup>

15-Muqaddima of Ibn Khaldun (d.808/1406). A completion of Pirizade Mehmet Saib's Turkish translation. He not only translated the book but also made a significant contribution to it.<sup>103</sup>

16-Takvimü'l-Edvar. This is a special kind of calendar prepared for the Finance Ministry.<sup>104</sup>

17-Tarifü'l-irtifa. This is a short manual on Math.<sup>105</sup>

<sup>93</sup> Ahmed Cevdet, *Tezâkir*, vol. 4, p. 7; Chambers, 'Nineteenth century Ottoman Alim', p. 454

<sup>94</sup> Mardin, *Ahmet Cevdet paşa*, p. 25 ; <http://www.turkcebilgi.com/Ahmed%20Cevdet%20Pa%C5%9Fa>

<sup>95</sup> Ahmed Cevdet, *Tezâkir*, vol. 4, p. 7; Chambers, 'Nineteenth century Ottoman Alim', p. 454

<sup>96</sup> Eygi, 'Cevdet paşa', p. 12

<sup>97</sup> Mardin, *Ahmet Cevdet paşa*, p. 34; <http://www.turkcebilgi.com/Ahmed%20Cevdet%20Pa%C5%9Fa>

<sup>98</sup> Bowen, 'Ahmad Djewdet', p. 285; Öztürk, *Hukuk Tarihinde Mecelle*, pp. 22-3

<sup>99</sup> Fatma Aliye, *Ahmet Cevdet*, p. 31

<sup>100</sup> Mardin, *Ahmet Cevdet paşa*, p. 35

<sup>101</sup> Mardin, *Ahmet Cevdet paşa*, p. 43; Bowen, 'Ahmad Djewdet', p. 285; Öztürk, *Hukuk Tarihinde Mecelle*, pp. 22-3

<sup>102</sup> Eygi, 'Cevdet paşa', p. 12

<sup>103</sup> Mardin, *Ahmet Cevdet paşa*, pp. 51-2

<sup>104</sup> Mardin, *Ahmet Cevdet paşa*, pp. 298-306

28-Tarih-i Cevdet. This is a critical history book. Based on chronological order, the book covers the period between 1774 and 1826, from the treaty of Küçük Kaynarca until the abolition of Janissaries. Since it took 30 years to finish, his views and language and style were influenced with the political conditions of his time. In addition, the influence of some European historians such as Montesquie and Taine on Ahmed Cevdet can be observed in this manual.<sup>106</sup>

19-Tezakir-i Cevdet. This represents a collection of memoranda made by him on contemporary events as *vak'a nûvis*. This is good source regarding the political, social and ethical issues of his time.<sup>107</sup>

### Conclusion

As we have seen, Ahmed Cevdet pasha was truly a scholar as well as a statesman. He served the State in a time in which the Empire was going through an upheaval period. He was well aware of the domestic and the foreign problems of the day. As Chambers writes, 'he recognized the need for bringing the Ottoman legal and judicial system into steps with the times, but he advocated the modification and adaptation of the indigenous Muslim law instead of the importation of alien law wherever that was possible.'<sup>108</sup> In other words, while he advocated the enlightenment of the Ottoman society, his answer was to appeal to the traditional values on which the Ottoman State was based.

His association with the leaders of the *Tanzimat* greatly influenced him and took him away from the religious circles into the world of bureaucracy and politics. It may not be wrong to say that Ahmed Cevdet pasha was the man who shaped the period of *Tanzimat*. He played a major role in the reorganization of the judiciary and the legal system of the Empire. He was able to influence not only his fellow men but also the Sultan of the time. That is to say he was a man who shaped the policy of pan-Islamism of Abdulhamit II.<sup>109</sup>

In short, his aspirations, talent and acquaintance with men of learning and statesmen transferred him into a celebrated 19<sup>th</sup> century scholar and a statesman.

<sup>105</sup> Ahmed Cevdet, *Tezakir*, vol. 4, p. 7; Fatma Aliye, *Ahmet Cevdet*, pp. 25-6

<sup>106</sup> Bowen, 'Ahmad Djewdet', p. 285; Kuran, 'Ahmet cevdet', p. 7; Eygi, 'Cevdet paşa', p. 11

<sup>107</sup> Kuran, 'Ahmet cevdet', p. 7; Öztürk, *Hukuk Tarihinde Mecelle*, p. 22-3

<sup>108</sup> Chambers, 'Nineteenth century Ottoman Alim', p. 463

<sup>109</sup> Özcan, A. 'Sultan II.Abdulhamit'in Pan-Islam Siyasetinde Cevdet Paşa'nın Tesiri' in *Türkiye Diyanet Vakfı Ahmet Cevdet paşa sempozyumu 9-11 June 1995*, (Ankara: Türkiye Diyanet Vakfı Yayınları, 1997), p. 124-8. See also Meriç, Ü. *Cevdet Paşa'nın cemiyet ve devlet görüşü*, (İstanbul: Ötügen Neşriyat, 1979)